



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/604,760

08/14/2003

Jan Lundgren

7589.049.NPUS01

1759

65858

7590

08/04/2008

NOVAK DRUCE AND QUIGG LLP (Volvo)

1000 LOUISIANA STREET

FIFTY-THIRD FLOOR

HOUSTON, TX 77002

EXAMINER

HONG, JOHN C

ART UNIT

PAPER NUMBER

3726

MAIL DATE

DELIVERY MODE

08/04/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/604,760	<b>Applicant(s)</b> LUNDGREN, JAN	
	<b>Examiner</b> JOHN C. HONG	<b>Art Unit</b> 3726	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5,6,9-15,17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,6,9-15,17 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-3,5,6,9-15,17 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- 1) Claim 1, line 4, first wall part (114) is not included in stator or rotor component (21).
- 2) Claim 1, line 15, “the stator or rotor components” lacks antecedent basis.
- 3) Claim 1, lines 11 and 12, “the joined –together portions” lacks antecedent basis.
- 4) Claim 2, line 2, first wall part (114) is not included in stator or rotor component (21).
- 5) Claim 2, line 3, second wall part (109) is not included in stator or rotor component (21).
- 6) Claim 3, line 2, second wall part (109) is not included in stator or rotor component (21).
- 7) Claim 5, line 2, second wall part (109) is not included in stator or rotor component (21).
- 8) Claim 9, line 3, second wall part (110) is not included in stator or rotor component (21).
- 9) Claim 10, line 2, first wall part (114) is not included in stator or rotor component (21).
- 10) Claim 10, line 2, second wall part (110) is not included in stator or rotor component (21).

11) Claim 11, line 2, second wall part (109, 110) is not included in stator or rotor component (21).

12) Claim 17, line 2, stator or rotor component (230 lacks antecedent basis.

13) Claim 18, line 2, stator or rotor component (230 lacks antecedent basis.

***,Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3,5,6,9-15,17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dimberg (U.S. Patent 1641745) in view of Havard et al. (U.S. Patent 5483034).

Dimberg teaches a method for manufacturing a generally ring-shaped stator or rotor component (Figs. 1 and 2) which is intended during operation to conduct a gas flow, comprising: constructing a portion of said stator or rotor component by steps including providing a curved first wall part (4) having one edge bearing against a flat side of a second wall part (2) extending in the intended that extends in a direction corresponding to an eventual radial direction of the component in such a way that the first wall part extends and curves in the intended a direction corresponding to an eventual circumferential direction of the component and also extends in a direction corresponding to an eventual axial direction of the component; wherein a sufficient number of stator or rotor component portions are so constructed and are mutually arranged so as to form the stator or rotor component, with the curved first wall parts of the stator or rotor components defining an axially extending, substantially annular flow guiding surface that

delimits a gas duct in the eventual radial direction in such a way that the joined-together portions of the wall parts form a T-shaped joint (10).

Dimberg fails to teach the step of laser- welding the edge of the first wall part is then laser welded to the second wall part from an, in the circumferential direction, opposite side of the second wall part in relation to the first wall part.

Havard et al. teach the step of laser- welding (col. 2, line 58) the edge of the first wall part is then laser welded to the second wall part from an, in the circumferential direction, opposite side of the second wall part in relation to the first wall part. (Fig. 2)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to employ the step of laser- welding the edge of the first wall part is then laser welded to the second wall part from an, in the circumferential direction, opposite side of the second wall part in relation to the first wall part, as taught by Havard et al. on the method of Dimberg so as to provide a faster and more efficient welding technique and provide more secure weld.

### ***Response to Arguments***

5. Applicant's arguments with respect to claim 1 has been considered but are moot in view of the new ground(s) of rejection. See the new Office action. Havard et al. teach the step of laser- welding opposite side of the second wall part.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN C. HONG whose telephone number is 571-272-4529. The examiner can normally be reached on M-F 9:00-17:00.

Art Unit: 3726

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID BRYANT can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JOHN C HONG/  
Primary Examiner, Art Unit 3726

Jh  
8/1/08